

FORM-PTO-1390 (Rev. 9-2001)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER  033285-010	
INTERNATIONAL APPLICATION NO. PCT/EP00/09392		INTERNATIONAL FILING DATE 26 September 2000	
TITLE OF INVENTION NOVEL COMBINATION OF LOTEPREDNOL AND $\beta_2$ -ADRENOCEPTOR AGONISTS		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)  10/089,449	
APPLICANT(S) FOR DO/EO/US Istvan SZELENYI <i>et al.</i>		PRIORITY DATE CLAIMED 30 September 1999	

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

Petition Pursuant to 37 C.F.R. § 1.182 with required fee pursuant to 37 C.F.R. § 1.17(h); Declaration of Hildegard Kuss; German Marriage Certificate; Copy of Notification of Defective Response; Petition for Extension of Time



21839

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>10/089,449</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP00/09392</b>		ATTORNEY'S DOCKET NUMBER <b>033285-010</b>	
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21. <input type="checkbox"/> The following fees are submitted:				CALCULATIONS		PTO USE ONLY	
<b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1,060.00 (1611) International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$900.00 (1613) International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$750.00 (1610) International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$720.00 (1609) International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00 (1612)							
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$			
Surcharge of <b>\$130.00 (1617)</b> for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).      20 <input type="checkbox"/> 30 <input type="checkbox"/>				\$			
Claims	Number Filed	Number Extra	Rate				
Total Claims	-20 =		X\$18.00 (1615)	\$			
Independent Claims	-3 =		X\$84.00 (1614)	\$			
Multiple dependent claim(s) (if applicable)			+ \$280.00 (1616)	\$			
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$			
Reduction for 1/2 for filing by small entity, if applicable (see below).      +				\$	-		
<b>SUBTOTAL =</b>				\$			
Processing fee of <b>\$130.00 (1618)</b> for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)).      20 <input type="checkbox"/> 30 <input type="checkbox"/> +				\$			
<b>TOTAL NATIONAL FEE =</b>				\$			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property      +				\$			
<b>TOTAL FEES ENCLOSED =</b>				\$			
				Amount to be refunded:	\$		
				charged:	\$		

a. ☐ Small entity status is hereby claimed.

b. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.

c. ☐ Please charge my Deposit Account No. 02-4800 in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

d. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4800. A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Teresa Stanek Rea  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

\_\_\_\_\_  
 SIGNATURE  
 Teresa Stanek Rea  
 \_\_\_\_\_  
 NAME  
 30,427  
 \_\_\_\_\_  
 REGISTRATION NUMBER  
 January 6, 2003  
 \_\_\_\_\_  
 DATE



21839

Heiratsurkunde

F

(Standesamt Dresden -/-

Nr. 201/2001 )

Prof. Dr.-Ing.habil. Hans Joachim Kuß, ---  
römisch-katholisch, -/-

geboren am 20. August 1940 -/-

in Breslau -/-

(Standesamt Breslau III -/-

Nr. 1382/1940 )

wohnhaft in Dresden, -/-

und Dr.rer.nat. Hildegard Elisabeth Poppe geb.  
Baer, evangelisch, -/-

geboren am 16. April 1946 -/-

in Klotzsche, jetzt Dresden -/-

(Standesamt Klotzsche, jetzt Dresden -/-

Nr. 24/1946 )

wohnhaft in Dresden, -/-

haben am 18. April 2001 -/-

vor dem Standesbeamten des

Standesamts Dresden -/-

die Ehe geschlossen.

-/-

Dresden, den 18. April 2001



Der Standesbeamte

(Hempel)

40 9 8 7 6 3 5 4 3 2



Heiratsurkunde.  
Bestell-Nr. 12/408 („Komplett“ 37)  
Verlag für Standesamtswesen GmbH, Frankfurt am Main · Berlin

12/408



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/089,449	Istvan Szelenyi	033285-010

21839  
 BURNS DOANE SWECKER & MATHIS L L P  
 POST OFFICE BOX 1404  
 ALEXANDRIA, VA 22313-1404

INTERNATIONAL APPLICATION NO.

PCT/EP00/09392

I.A. FILING DATE

09/26/2000

PRIORITY DATE

09/30/1999

**URGENT**

CONFIRMATION NO. 9422

371 FORMALITIES LETTER



\*OC000000008530693\*

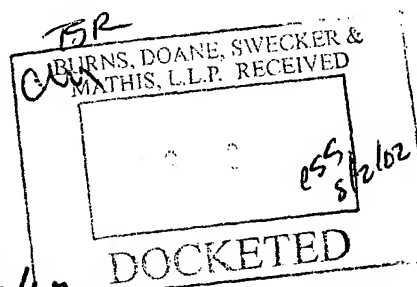
Date Mailed: 07/29/2002

**NOTIFICATION OF DEFECTIVE RESPONSE**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- English Translation of the IA
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

*Wuesthoff 1/2 Wuesthoff*



*ELLS  
8-8-02*

*Response due 8/4/02 or  
Response due 8/29/02 or  
1/4/03*

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - Second inventor's last name is different on the declaration than on the published International Application.

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*4/10/03*

A copy of this notice **MUST** be returned with the response.

KAREN M WILLIAMS

Telephone: (703) 305-3688

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/089,449	PCT/EP00/09392	033285-010

FORM PCT/DO/EO/916 (371 Formalities Notice)

1. Ehemann:

2. Ehefrau:

Prof. Dr.-Ing.habil. Kuß -/- Hans Joachim -/- Hochschullehrer -/- 20. August 1940 -/- Breslau -/- Breslau III, 1382/1940 -/- römisch-katholisch -/- -/-	Familienname v. d. Eheschl. Vornamen Beruf Geburtsort Geburtsort Standesamt, Nr. Grundlage der Eintragung	Dr.rer.nat. Poppe geb. Baer -/- Hildegard Elisabeth -/- Biologin -/- 16. April 1946 -/- Klotzsche, jetzt Dresden -/- Klotzsche, jetzt Dresden, 24/1946 evangelisch -/- -/-
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3. Eheschließung  
von 1 und 2 Eheschließungstag, -ort 18. April 2001, Dresden -/-  
Grundlage der Eintragung

Heiratseintrag Nr. 201, St.Amt Dresden -/-

4. Eltern des Ehemannes:

5. Eltern der Ehefrau:

Vater: Kuß -/- Otto Hermann -/- zul. Dresden -/-	Familienname Vornamen Wohnort oder letzter Wohnort	Vater: Dr.-Ing. Baer -/- Otto Johannes Robert -/- zul. Dresden -/-
Mutter: Kuß geb. Strauß -/- Marie Hedwig Martha -/- zul. Dresden -/- Geb.Urk. zu 1 -/-	Familienname Vornamen Wohnort oder letzter Wohnort Grundlage der Eintragung	Mutter: Baer geb. Bachmann -/- Irmgard Johanna Wilhelmine -/- zul. Dresden -/- Abst.Urk. zu 2 -/-

6. Angelegt: -/-

Dresden, den 18. April 2001

Der Standesbeamte

Hempel

7. Vermerk über die Staatsangehörigkeit der Ehegatten und Nachwels

-/-	-/-
-----	-----

8. Tod - Tag, Ort, Standesamt und Nr. Todeserklärung, Feststellung der Todeszeit der Ehegatten - Todeszeitpunkt, Gericht, Aktenzeichen,  
Scheidung, Aufhebung, Nichtigkeit, Feststellung des Nichtbestehens der Ehe - Tag der Rechtskraft, Gericht, Aktenzeichen

-/-

-/-

Weitere Vermerke über die Ehegatten siehe Spalte 10

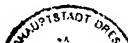
9. Kinder:

Personenstands- und namensrechtliche Änderungen, Eheschließung: Vor- und Familienname des  
Ehegatten, Tag, Ort, Standesamt und Nr. oder Tod - Tag, Ort, Standesamt und Nr. Todeserklärung,  
Feststellung der Todeszeit - Todeszeitpunkt, Gericht, Aktenzeichen

-/-

-/-

10. Weitere Vermerke über die Ehegatten und die Kinder: Die Ehegatten führen den Ehenamen Kuß. Den 18.04.2001. -  
Der Standesbeamte Hempel -/-



Die Übereinstimmung der Abschrift (des Auszuges) mit den Einträgen im Familienbuch wird hiermit beglaubigt.